

REMARKS

The Examiner rejected claims 9-12, 14, and 15 under 35 U.S.C. §102 as anticipated by Azieres. Claims 13 and 16 are rejected under 35 U.S.C. §103 as unpatentable over Azieres further in view of Othmer.

Claim 9 as amended distinguishes over Azieres alone or Azieres combined with Othmer for the following reasons. Claim 9 recites automatically deleting electronic data in the maintenance computer that has been transmitted from the technical device to the maintenance computer and stored in the maintenance computer dependent on termination of the access. The Examiner agrees at page 8, second paragraph of the Office Action that Azieres does not teach this language. Rather, the Examiner cites Othmer. However, Othmer teaches directly away from Applicant's invention. In Othmer column 14, lines 13-16, a server (which is monitoring client computers) sends a message to the client machine instructing the client machine to delete its locally stored copy of the dynamic black box and to end the communication session. These client machines are shown in Fig. 8 at 70 and in Fig. 2 at 64. The server in Fig. 8 is shown at 128 and in Fig. 2 at 52. The server, however, is the machine which is doing the monitoring of the client computers. Thus the data being deleted *is in the machines being monitored*, not in the server which is conducting the monitoring. Claim 9, however, relates to the deleting of the data not in the machines being monitored but in the maintenance computer, in other words in the computer which is doing the monitoring. Othmer thus teaches directly away and claim 9 readily distinguishes.

Dependent claims 10-12 and 14 distinguish at least for the reasons noted with respect to claim 9 and also by reciting additional features not suggested.

Independent claim 15 distinguishes in a manner similar to claim 9.

Independent claim 17 distinguishes in a manner similar to claim 9.


New independent claim 16 distinguishes for the reasons noted with respect to claim 9 and also by reciting transmitting electronic termination information dependent on a termination of the access from the maintenance computer to the technical device. The Examiner does not cite any portion of Azieres for this feature which the Examiner could not locate in the Azieres reference. Rather the Examiner relies on an inherency argument. However, Applicant disagrees with this argument, since there is nothing to suggest any inherency of this feature. There is no reason that Azieres could not operate without transmitting such electronic termination information. Therefore Applicant disagrees with the inherency argument.

Independent claim 18 also distinguishes by reciting printing information by the technical device dependent on the authentication information. For this the Examiner relies on Azieres column 5, lines 54-55 and column 7, lines 19-24. But the printing referred to by Azieres is only printing data for results of the analysis by the monitoring computers. There is no printing of information by the device being monitored dependent on authentication information. Thus Azieres teaches away from this feature also.

Allowance of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Respectfully submitted,

 (Reg.No.27,841)

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